
By: **Senator Della**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - Licensed Premises Near Churches or**
3 **Schools**

4 FOR the purpose of altering the application of a certain prohibition against the
5 granting of a certain alcoholic beverages license within a certain distance of a
6 church or school; altering the districts to which a certain exemption applies;
7 altering the districts to which a certain waiver is applicable; and generally
8 relating to alcoholic beverages licenses in Baltimore City on premises near
9 churches or schools.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 9-204.3
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 2B - Alcoholic Beverages**

18 9-204.3.

19 (a) In Baltimore City, in the 2nd, 3rd, 4th, and 5th Legislative Districts as
20 they existed on January 1, 1972, and 46TH AND 47th Legislative [District] DISTRICTS
21 AS LISTED IN THE BALTIMORE DIRECTORY OF 1986 ISSUED BY THE BOARD OF
22 SUPERVISORS OF ELECTIONS OF BALTIMORE CITY, no new license, or removal of an
23 existing license, shall be granted to sell alcoholic beverages in any building located
24 within 300 feet of the nearest point of the buildings of a church or school, but the
25 license of any person now holding a license for any building located within such
26 distance of the building grounds of a church or school may be renewed or extended for
27 the same building.

28 (b) The restrictions regarding distance do not apply to the following licenses,
29 which may be issued within the 300 feet limitation:

1 (1) Except in the 46TH AND 47th Legislative [District] DISTRICTS AS
2 LISTED IN THE BALTIMORE DIRECTORY OF 1986 ISSUED BY THE BOARD OF
3 SUPERVISORS OF ELECTIONS OF BALTIMORE CITY, Class B beer and wine;

4 (2) Except in the 46TH AND 47th Legislative [District] DISTRICTS AS
5 LISTED IN THE BALTIMORE DIRECTORY OF 1986 ISSUED BY THE BOARD OF
6 SUPERVISORS OF ELECTIONS OF BALTIMORE CITY, Class B beer, wine and liquor;

7 (3) Class C beer and wine;

8 (4) Class C beer, wine and liquor; and

9 (5) A Class A license that is transferred from ward 12, precinct 1 to a
10 property within a block surrounded by Elm Avenue, Berry Street, Paine Street and
11 West 37th Street, if:

12 (i) The transfer has the written support of the Hampden
13 Community Council, the Hampden Village Merchant's Association, and Hampden
14 Main Street; and

15 (ii) The transfer is consistent with the Hampden Urban Renewal
16 Plan.

17 (c) Except in the 46TH AND 47th Legislative [District] DISTRICTS AS LISTED
18 IN THE BALTIMORE DIRECTORY OF 1986 ISSUED BY THE BOARD OF SUPERVISORS OF
19 ELECTIONS OF BALTIMORE CITY, the governing body of any church in writing may
20 waive the restrictions of this section regarding licenses not specified in subsection (b)
21 with respect to cafes or restaurants located within 250 feet of a theater having a
22 capacity of not less than 300 seats, which theater is operated by a nonprofit theater
23 association.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2003.